

Response under 37 C.F.R. 1.116
Applicant: Thane M. Larson et al.
Serial No.: 09/924,163
Filed: August 7, 2001
Docket No.: 10012383-1
Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

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REMARKS

The following remarks are made in response to the Final Office Action mailed on August 31, 2004. In that Office Action, the Examiner rejected claims 1-3, 6-9, 12-15, 18, and 19 under 35 U.S.C. §102(e) as being anticipated by Chen et al., U.S. Patent No. 6,591,324 ("Chen"). The Examiner also rejected claims 4, 10, and 16 under 35 U.S.C. §103(a) as being unpatentable over Chen. Claims 5, 11, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Bassman et al., U.S. Patent No. 6,295,567 ("Bassman").

With this Response, Applicant respectfully traverses the Examiner's rejection of claims 1-19. Claims 1-19 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. §102

The Examiner rejected claims 1-3, 6-9, 12-15, 18, and 19 under 35 U.S.C. §102(e) as being anticipated by Chen et al., U.S. Patent No. 6,591,324 ("Chen"). Independent claim 1 includes the limitations "a plurality of printed circuit assemblies including a plurality of host processor cards" and "a management card dedicated to monitoring and managing operation of the server system" Chen does not teach or suggest a server system that includes a plurality of host processor cards and a management card dedicated to monitoring and managing operation of a server system, as recited in independent claim 1. Rather, as shown in Figure 2 of Chen, for example, the system 100 includes an I/O card 106, a SCSI card 108, a network card 110, and two processor cards 120. There is no teaching or suggestion in Chen that any of these cards 106, 108, 110, or 120 are a management card dedicated to monitoring and managing operation of a server system.

The Examiner indicated that one of the two processor cards "105" is a management card as recited in claim 1. (Office Action at para. no. 2, page 2). Element "105" is actually one of the two processors "slots" into which one of the two processor cards 120 is inserted. If the Examiner contends that one of the two processor cards 120 is a management card as recited in claim 1, then Chen does not satisfy the limitations "a plurality of host processor cards", as there is only one remaining processor card 120. In addition, neither of the two

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

processor cards 120 of Chen is "dedicated" to monitoring and managing operation of a server system, as recited in claim 1. Rather, the processor cards 120 of Chen are used to read and write information to an array of hard disk drives 202, as well as perform some monitoring and management functions. (See, e.g., Chen at col. 4, lines 16-24). The Background of the Invention section of the present application sets forth several problems with this approach of adding management functions to an existing processor card.

The Examiner stated with respect to Chen "see figure 2, plurality of printed circuit cards 104 are host processor cards". (Office Action at para. no. 2, page 2). Elements "104" are actually add-on-card "slots" into which the I/O card 106, SCSI card 108, and Network card 110 are inserted. There is no teaching or suggestion in Chen that any of the cards 106, 108, or 110 are host processor cards. Chen clearly distinguishes between "processor cards" and other types of cards, such as cards 106, 108, and 110. (See, e.g., Chen at Figure 2, and corresponding description). The Examiner's contention that cards 106, 108, and 110 are "processor cards" is contrary to the explicit teachings of Chen.

In view of the above, independent claim 1 is not taught or suggested by Chen. Applicant respectfully traverses the Examiner's rejection of claim 1, requests removal of the rejection of claim 1 under 35 U.S.C. § 102(e), and requests reconsideration and allowance of this claim.

Dependent claims 2, 3, 6, and 7, which further limit patentably distinct claim 1, are also believed to be allowable over the cited reference. Dependent claims 2, 3, 6, and 7, are also further distinguishable over the cited reference.

Dependent claim 2 recites "wherein the management card includes a management processor and a LAN switch, the LAN switch coupled to management connections of the plurality of host processor cards, and management connections of the management processor." With respect to claim 2, the Examiner stated "see figure 2 [of Chen], second processor card 105 and column 4 lines 30-38 and column 3 lines 45-55, wherein the second processor 105 has the power switching 122, signal switching circuitry 128 to control networking (LAN) connection". (Office Action at para. no. 3, page 3). Figure 2 of Chen, which was cited by the Examiner, does not show that either of the two processor cards 120 includes a LAN switch. Column 4, lines 30-38 of Chen, which was cited by the Examiner, discloses that the two processor cards 120 (Figure 2) are connected together via

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

communications line 140, and that "[t]his communication line 140 may be of any sort, preferably using a standard port. Examples include using a local area networking (LAN) connection, a serial connection (such as RS-232), a universal serial bus (USB) connection, or a fiber channel connection." Thus, this portion of Chen cited by the Examiner indicates that the two processor cards 120 could be connected together via a LAN connection. However, this cited portion of Chen does not teach or suggest that either of the two processor cards 120 includes a "LAN switch" as recited in claim 2, let alone a LAN switch that is coupled to management connections of a plurality of host processor cards, and management connections of a management processor. Column 3, lines 45-55 of Chen, which was cited by the Examiner, discloses that the add-on cards and the processor cards include power switching circuitry, signal switching circuitry, and PCI circuitry. There is no teaching or suggestion in this cited portion of Chen, or any other part of Chen, that the power switching circuitry, signal switching circuitry, or the PCI circuitry, is a LAN switch, includes a LAN switch, or could or should be modified to include a LAN switch. Chen does not teach or suggest "the management card includes a management processor and a LAN switch, the LAN switch coupled to management connections of the plurality of host processor cards, and management connections of the management processor", as recited in dependent claim 2.

Dependent claim 6 recites "wherein the management card further comprises: a plurality of LEDs for providing server status information." Dependent claim 7 recites "wherein the management card further comprises: a plurality of serial ports for communicating with the management card." With respect to claims 6 and 7, the Examiner stated "Chen teaches providing status information on the management card (see column 4 lines 50-56)." Column 4 lines 50-56 of Chen, which was cited by the Examiner, discloses that "[t]he first processor card 120 remains, however, in communication with the second processor card 120 via the communications line 140, and periodically informs the second processor card 120 of its health, that is, of the perceived health of the first processor card 120. Furthermore, the health of the first processor card 120 may be actively monitored by the second processor card 120." There is no teaching or suggestion in this cited portion of Chen regarding LEDs or serial ports. Chen does not teach or suggest a management card that includes a plurality of LEDs for providing server status information, as recited in dependent

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

claim 6. Chen does not teach or suggest a management card that includes a plurality of serial ports for communication with the management card as recited in dependent claim 7.

In view of the above, dependent claims 2, 3, 6, and 7, which further limit patentably distinct claim 1, and are further distinguishable over the cited reference, are believed to be allowable over the cited reference. Reconsideration and allowance of dependent claims 2, 3, 6, and 7 is respectfully requested.

Independent claim 8 includes the limitations "providing a plurality of host processor cards for running customer operating systems and applications", "providing a dedicated management card that does not run customer operating systems and applications", and "monitoring and managing operation of the plurality of host processor cards with the dedicated management card". Chen does not teach or suggest these limitations of claim 8. Rather, as shown in Figure 2 of Chen, for example, the system 100 includes an I/O card 106, a SCSI card 108, a network card 110, and two processor cards 120. There is no teaching or suggestion in Chen that any of these cards 106, 108, 110, or 120 are a dedicated management card that does not run customer operating systems and applications, and that monitors and manages operation of a plurality of host processor cards.

The Examiner indicated that one of the two processor cards "105" is a dedicated management card as recited in claim 8. (Office Action at para. no. 2, page 2). Element "105" is actually one of the two processors "slots" into which one of the two processor cards 120 is inserted. If the Examiner contends that one of the two processor cards 120 is a dedicated management card as recited in claim 1, then Chen does not satisfy the limitations "a plurality of host processor cards", as there is only one remaining processor card 120. In addition, there is no teaching or suggestion in Chen that either of the two processor cards 120 of Chen is a "dedicated management card" that does not run customer operating systems and applications, as recited in claim 8.

The Examiner stated with respect to Chen "see figure 2, plurality of printed circuit cards 104 are host processor cards". (Office Action at para. no. 2, page 2). Elements "104" are actually add-on-card "slots" into which the I/O card 106, SCSI card 108, and Network card 110 are inserted. There is no teaching or suggestion in Chen that any of the cards 106, 108, or 110 are host processor cards, or that any of these cards 106, 108, or 110 run customer operating systems and applications. Chen clearly distinguishes between "processor cards"

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

and other types of cards, such as cards 106, 108, and 110. (See, e.g., Chen at Figure 2, and corresponding description). The Examiner's contention that cards 106, 108, and 110 are "processor cards" is contrary to the explicit teachings of Chen.

In view of the above, independent claim 8 is not taught or suggested by Chen. Applicant respectfully traverses the Examiner's rejection of claim 8, requests removal of the rejection of claim 8 under 35 U.S.C. § 102(e), and requests reconsideration and allowance of this claim.

Dependent claims 9, 12, and 13, which further limit patentably distinct claim 8, are also believed to be allowable over the cited reference. Dependent claims 9, 12, and 13 are also further distinguishable over the cited reference.

Dependent claim 9 recites "monitoring management LAN communications of the plurality of host processor cards with the management card." With respect to claim 9, the Examiner stated "see figure 2 [of Chen], second processor card 105 and column 4 lines 30-38 and column 3 lines 45-55, wherein the second processor 105 has the power switching 122, signal switching circuitry 128 to control networking (LAN) connection". (Office Action at para. no. 3, page 3). Figure 2 of Chen, which was cited by the Examiner, does not show a management card that monitors management LAN communications of a plurality of host processor cards. Column 4, lines 30-38 of Chen, which was cited by the Examiner, discloses that the two processor cards 120 (Figure 2) are connected together via communications line 140, and that "[t]his communication line 140 may be of any sort, preferably using a standard port. Examples include using a local area networking (LAN) connection, a serial connection (such as RS-232), a universal serial bus (USB) connection, or a fiber channel connection." Thus, this portion of Chen cited by the Examiner indicates that the two processor cards 120 could be connected together via a LAN connection. However, there is no teaching or suggestion in Chen that this LAN connection is monitored by a dedicated management card. Column 3, lines 45-55 of Chen, which was cited by the Examiner, discloses that the add-on cards and the processor cards include power switching circuitry, signal switching circuitry, and PCI circuitry. There is no teaching or suggestion in this cited portion of Chen, or any other part of Chen, that the power switching circuitry, signal switching circuitry, or the PCI circuitry, is implemented on a dedicated management card, or that the circuitry monitors management LAN communications of a plurality of host processor cards. Chen does not

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

teach or suggest "monitoring management LAN communications of the plurality of host processor cards with the management card", as recited in dependent claim 9.

Dependent claim 12 recites "providing status information on the management card via a plurality of LEDs." Dependent claim 13 recites "communicating with the management card via at least one of a plurality of serial ports on the management card." With respect to claims 12 and 13, the Examiner stated "Chen teaches providing status information on the management card (see column 4 lines 50-56)." Column 4 lines 50-56 of Chen, which was cited by the Examiner, discloses that "[t]he first processor card 120 remains, however, in communication with the second processor card 120 via the communications line 140, and periodically informs the second processor card 120 of its health, that is, of the perceived health of the first processor card 120. Furthermore, the health of the first processor card 120 may be actively monitored by the second processor card 120." There is no teaching or suggestion in this cited portion of Chen regarding LEDs or serial ports. Chen does not teach or suggest "providing status information on the management card via a plurality of LEDs", as recited in dependent claim 12. Chen does not teach or suggest "communicating with the management card via at least one of a plurality of serial ports on the management card", as recited in dependent claim 13.

In view of the above, dependent claims 9, 12, and 13, which further limit patentably distinct claim 8, and are further distinguishable over the cited reference, are believed to be allowable over the cited reference. Reconsideration and allowance of dependent claims 9, 12, and 13 is respectfully requested.

Independent claim 14 is directed to a "management-dedicated server management card", and includes the limitation "a multiple-port LAN switch coupled to the controller and configured to be coupled to a management connection of at least one of the plurality of removable cards". Chen does not teach or suggest a management-dedicated server management card with a multiple-port LAN switch as recited in independent claim 14. Rather, as shown in Figure 2 of Chen, for example, the system 100 includes an I/O card 106, a SCSI card 108, a network card 110, and two processor cards 120. There is no teaching or suggestion in Chen that any of these cards 106, 108, 110, or 120 are a management-dedicated server management card.

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

The Examiner indicated that one of the two processor cards "105" is a management-dedicated server management card as recited in claim 14. (Office Action at para. no. 2, page 2). Element "105" is actually one of the two processors "slots" into which one of the two processor cards 120 is inserted. Neither of the two processor cards 120 of Chen is a "management-dedicated server management card", as recited in claim 14. Rather, the processor cards 120 of Chen are used to read and write information to an array of hard disk drives 202, and are not dedicated to management. (See, e.g., Chen at col. 4, lines 16-24).

The Examiner did not address the limitation "a multiple-port LAN switch coupled to the controller and configured to be coupled to a management connection of at least one of the plurality of removable cards" in the Examiner's rejection of claim 14 on pages 2 and 3 of the current Office Action. However, with respect to dependent claims 2, 9, and 15, the Examiner stated "see figure 2 [of Chen], second processor card 105 and column 4 lines 30-38 and column 3 lines 45-55, wherein the second processor 105 has the power switching 122, signal switching circuitry 128 to control networking (LAN) connection". (Office Action at para. no. 3, page 3).

Figure 2 of Chen, which was cited by the Examiner, does not show that either of the two processor cards 120 includes a multiple-port LAN switch. Column 4, lines 30-38 of Chen, which was cited by the Examiner, discloses that the two processor cards 120 (Figure 2) are connected together via communications line 140, and that "[t]his communication line 140 may be of any sort, preferably using a standard port. Examples include using a local area networking (LAN) connection, a serial connection (such as RS-232), a universal serial bus (USB) connection, or a fiber channel connection." Thus, this portion of Chen cited by the Examiner indicates that the two processor cards 120 could be connected together via a LAN connection. However, this cited portion of Chen does not teach or suggest that either of the two processor cards 120 includes a "multiple-port LAN switch" as recited in claim 14, let alone a multiple-port LAN switch that is coupled to a controller of a management-dedicated server management card and is configured to be coupled to a management connection of at least one of a plurality of removable cards. Column 3, lines 45-55 of Chen, which was cited by the Examiner, discloses that the add-on cards and the processor cards include power switching circuitry, signal switching circuitry, and PCI circuitry. There is no teaching or suggestion in this cited portion of Chen, or any other part of Chen, that the power switching

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

circuitry, signal switching circuitry, or the PCI circuitry, is a multiple-port LAN switch, includes a multiple-port LAN switch, or could or should be modified to include a multiple-port LAN switch. Chen does not teach or suggest "a multiple-port LAN switch coupled to the controller and configured to be coupled to a management connection of at least one of the plurality of removable cards", as recited in independent claim 14.

In view of the above, independent claim 14 is not taught or suggested by Chen. Applicant respectfully traverses the Examiner's rejection of claim 14, requests removal of the rejection of claim 14 under 35 U.S.C. § 102(e), and requests reconsideration and allowance of this claim.

Dependent claims 15, 18, and 19, which further limit patentably distinct claim 14, are also believed to be allowable over the cited reference. Dependent claims 15, 18, and 19 are also further distinguishable over the cited reference.

Dependent claim 15 recites "wherein the LAN switch is coupled to the management connections of a plurality of the removable cards for monitoring management LAN communications." With respect to claim 15, the Examiner stated "see figure 2 [of Chen], second processor card 105 and column 4 lines 30-38 and column 3 lines 45-55, wherein the second processor 105 has the power switching 122, signal switching circuitry 128 to control networking (LAN) connection". (Office Action at para. no. 3, page 3). Figure 2 of Chen, which was cited by the Examiner, does not show a management-dedicated server management card that includes a multiple-port LAN switch that is coupled a controller of the management card and to management connections of a plurality of removable cards for monitoring management LAN communications. Column 4, lines 30-38 of Chen, which was cited by the Examiner, discloses that the two processor cards 120 (Figure 2) are connected together via communications line 140, and that "[t]his communication line 140 may be of any sort, preferably using a standard port. Examples include using a local area networking (LAN) connection, a serial connection (such as RS-232), a universal serial bus (USB) connection, or a fiber channel connection." Thus, this portion of Chen cited by the Examiner indicates that the two processor cards 120 could be connected together via a LAN connection. However, there is no teaching or suggestion in Chen that either of the processor cards 120 includes a multiple-port LAN switch that is coupled a controller of the processor card and to management connections of a plurality of removable cards for monitoring management LAN

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

communications. Column 3, lines 45-55 of Chen, which was cited by the Examiner, discloses that the add-on cards and the processor cards include power switching circuitry, signal switching circuitry, and PCI circuitry. There is no teaching or suggestion in this cited portion of Chen, or any other part of Chen, that the power switching circuitry, signal switching circuitry, or the PCI circuitry, is implemented on a management-dedicated server management card, or that the circuitry includes a multiple-port LAN switch that is coupled to management connections of a plurality of removable cards for monitoring management LAN communications. Chen does not teach or suggest "the LAN switch is coupled to the management connections of a plurality of the removable cards for monitoring management LAN communications", as recited in dependent claim 15.

Dependent claim 18 recites "a plurality of LEDs for providing server status information." Dependent claim 19 recites "a plurality of serial ports for transmitting and receiving serial communications." With respect to claims 18 and 19, the Examiner stated "Chen teaches providing status information on the management card (see column 4 lines 50-56)." Column 4 lines 50-56 of Chen, which was cited by the Examiner, discloses that "[t]he first processor card 120 remains, however, in communication with the second processor card 120 via the communications line 140, and periodically informs the second processor card 120 of its health, that is, of the perceived health of the first processor card 120. Furthermore, the health of the first processor card 120 may be actively monitored by the second processor card 120." There is no teaching or suggestion in this cited portion of Chen regarding LEDs or serial ports. Chen does not teach or suggest a management-dedicated server management card that includes a plurality of LEDs for providing server status information, as recited in dependent claim 18. Chen does not teach or suggest a management-dedicated server management card that includes a plurality of serial ports for transmitting and receiving serial communications", as recited in dependent claim 19.

In view of the above, dependent claims 15, 18, and 19, which further limit patentably distinct claim 14, and are further distinguishable over the cited reference, are believed to be allowable over the cited reference. Reconsideration and allowance of dependent claims 15, 18, and 19 is respectfully requested.

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY**Claim Rejections under 35 U.S.C. §103**

The Examiner rejected claims 4, 10, and 16 under 35 U.S.C. §103(a) as being unpatentable over Chen. Dependent claims 4, 10, and 16, further limit patentably distinct claims 1, 8, and 14, respectively, are further distinguishable over the cited reference, and are believed to be allowable over the cited reference. Allowance of claims 4, 10, and 16, is respectfully requested.

The Examiner rejected claims 5, 11, and 17 under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Bassman et al., U.S. Patent No. 6,295,567 ("Bassman"). Dependent claims 5, 11, and 17, are dependent on claims 1, 8, and 14, respectively. As described above with respect to independent claims 1, 8, and 14, Chen does not teach or suggest each and every limitation of these independent claims. Bassman also does not teach or suggest the limitations of independent claims 1, 8, and 14, addressed above. There is also no suggestion to combine the cited references. Since dependent claims 5, 11, and 17, further limit patentably distinct claims 1, 8, and 14, respectively, claims 5, 11, and 17, are believed to be allowable over the cited references.

Dependent claims 5, 11, and 17 are also further distinguishable over the cited references. Dependent claim 5 recites "the management card configured to adjust the speed of the at least one cooling fan based on temperature data provided by the at least one temperature sensor." (emphasis added). Dependent claim 11 recites "monitoring the temperature of the server system with the management card; and adjusting the speed of at least one cooling fan with the management card based on temperature data." Dependent claim 17 recites "The server management card of claim 14, and further comprising: an input for receiving server temperature information, the controller configured to adjust the speed of at least one server cooling fan based on received server temperature information." The Examiner has acknowledged with respect to claims 5, 11, and 17 that "Chen does not expressly teach cooling fan, temperature sensor and controlling the fan speed." (Office Action at para. no. 8, page 4). Bassman discloses an embedded controller 605 that controls the speed of each fan. (Bassman at col. 8, lines 42-43). However, Bassman includes no teaching or suggestion that the embedded controller 605, or any portion thereof, could or should be incorporated into a management card as recited in the claims. The Examiner appears to argue that one of the processor cards 120 of Chen is a "management card" as

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

recited in claim 1. (See, e.g., Office Action at para. no. 2, page 2). Bassman also includes no teaching or suggestion that the embedded controller 605 could or should be incorporated into a processor card, such as one of the processor cards 120 disclosed in Chen.

In view of the above, dependent claims 5, 11, and 17, which further limit patentably distinct claims 1, 8, and 14, respectively, and are further distinguishable over the cited references, are believed to be allowable over the cited references. Reconsideration and allowance of dependent claims 5, 11, and 17 is respectfully requested.

Examiner's Response To Arguments

In response to Applicant's previously submitted Response, the Examiner stated:

In response to the applicant's arguments that Chen does not teach or suggest a server system that includes a plurality of host processor cards and a management card. Based in the specification of the current invention, the applicant disclosed host processor cards are those inserted to the slot 110 (see page 4 lines 10-12). Figure 3 of Chen discloses plurality of Add-on-card are inserted to slots 12. Based on the current invention specification, these Add-on-card is equivalent to plurality of host processor card. Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. (Office Action at para. no. 10, page 5).

Applicant does not dispute that the Examiner is to give the claims their broadest reasonable interpretation in light of the supporting disclosure. However, the MPEP states that "[t]he broadest reasonable interpretation of the claims must be consistent with the interpretation that those skilled in the art would reach." (MPEP § 2111). Applicant has pointed out how the Chen reference distinguishes between "processor cards" and other types of cards, such as I/O card 106, SCSI card 108, and network card 110. (See, e.g., Chen at Figure 2, and corresponding description). The specification of the present application also distinguishes between processor cards and other types of cards. (See, e.g., page 4, lines 12-15). This indicates that the Examiner's interpretation is not consistent with the interpretation that those skilled in the art would reach. The Examiner has not cited any art to support the Examiner's interpretation, which is inconsistent with the disclosure of Chen and the specification of the present application.

In addition, the Examiner's argument does not address other limitations in the claims regarding the host processor cards. For example, claim 8 recites "providing a plurality of

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

host processor cards for running customer operating systems and applications". The Examiner has pointed to no teaching or suggestion in Chen that the I/O card 106, SCSI card 108, and/or network card 110 run customer operating systems and applications.

The Examiner also stated that "Further Chen discloses processor card 105 is being equivalent to the management card of the current invention which has been discussed above in the office action." (Office Action at para. no. 10, page 5). As addressed above with respect to claims 1 and 8, if the Examiner contends that one of the two processor cards 120 is a management card as recited in claims 1 and 8, then Chen does not satisfy the limitation "a plurality of host processor cards", as there is only one remaining processor card 120. In addition, there is no teaching or suggestion in Chen that either of the two processor cards 120 of Chen is "dedicated" to monitoring and managing operation of a server system, as recited in claim 1. There is no teaching or suggestion in Chen that either of the two processor cards 120 of Chen is a "dedicated management card" that does not run customer operating systems and applications, as recited in claim 8. There is no teaching or suggestion in Chen that either of the two processor cards 120 of Chen is a "management-dedicated server management card", as recited in claim 14.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-19 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-19 is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to either Jeff A. Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005 or David A. Pleitner at Telephone No. (408) 447-3013, Facsimile No. (408) 447-0854. In addition, all correspondence should continue to be directed to the following address:

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/924,163

Filed: August 7, 2001

Docket No.: 10012383-1

Title: DEDICATED SERVER MANAGEMENT CARD WITH HOT SWAP FUNCTIONALITY

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via telefacsimile to the U.S. Patent and Trademark Office, Attn. Examiner Tim T. Vo, Group Art Unit 2112, Fax No. (703) 872-9306 this 28th day of October, 2004.

By Jeff A. Holmen
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